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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/566,128

07/19/2006

Rolf-Juergen Recknagel

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EXAMINER

RAO, SHEELA S

ART UNIT

PAPER NUMBER

2128

MAIL DATE

DELIVERY MODE

07/18/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/566,128	RECKNAGEL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SHEELA RAO	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/25/06</u> .   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. This Office action is in response to papers filed on 25 January 2006.
2. Claims 6-10 are pending and presented for examination. The Preliminary amendment filed on January 25, 2006 cancels claims 1-5 and adds claims 6-10.
3. Applicant's submission of references on form PTO-1449, filed on January 25, 2006, has been considered. A signed copy of the form is attached.

***Specification***

4. The disclosure is objected to because of the following informalities: the specification includes acronyms that are not standard names or readily known to skilled artisans in the relevant arts, i.e. PPS and SG on page 4 of the disclosure. The use of an acronym is generally followed by the full expansion of the name or title upon the first occurrence of the name or title. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. US 2005/0068195 A1 to Ohl et al.

The reference of prior art by Ohl et al. (hereinafter "Ohl") teaches of a method for transmitting data from at least one sensor to a control unit and anticipates the limitations of the instant invention.

Independent claim 6 sets forth the instant invention as a method for digital data transmission from a sensor to a control unit, comprising dividing sensor values of the sensor for data transmission at different resolutions, the sensor values forming a first range of values including successive sensor values; and dividing the first range of values as a function of a variable relevant for the control unit. These elements are taught by Ohl in paragraph [0014] where the dividing of the sensor data into various successive ranges is described. The paragraph continues to explain how each of the ranges for the values are associated with variables for different aspects as needed for the control unit.

Claim 7 further defines the variable as a second range of sensor values for threshold values of a triggering algorithm for a restraining device, and the sensor values

in the second range of values are transmitted from the sensor to the control unit at a higher resolution. Again in paragraph [0014] the sensor values as divided into portions or ranges is described and the values in the second and third portion are stated as the trigger values. With regard to the transmission of the values at a higher resolution, paragraph [0013] indicates the use of different transmission rates and resolutions for the sensor values.

With regard to claim 8, the second range of values is selected from a lower half of the first range of values is claimed. As aforementioned, paragraph [0014] teaches the dividing of the values into ranges or portions, with the second and third range following the first range.

Claim 9 defines the method as executed by a transmitter module in the sensor. Ohl teaches the transmitting by the sensor in paragraph [0017] with the sensor including a transmitter block.

Claim 10 states that the method is executed by a receiver module in a control unit. Ohl includes a receiver block in the control unit as described in paragraph [0015].

Based upon the aforementioned associations the limitations of the instant invention are anticipated and taught by the prior art to Ohl.

### **Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela Rao whose telephone number is (571) 272-

3751. The examiner can normally be reached Monday - Friday from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah, can be reached on (571) 272-2279. The fax number for the organization where this application or any proceeding papers is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. It should be noted that status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see [http:// pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should any questions arise regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/SHEELA RAO/  
Examiner, Art Unit 2128  
July 15, 2008

/Alexander J Kosowski/  
Primary Examiner, Art Unit 2128